Nova Scotia

ANNUAL REPORT

for the fiscal year
ending March 31, 1987

Department of Labour

ISSN 0835-3182

89-05087/

ERRATA

Fatal Accidents

The number of fatal accidents reported on page 16 of the Annual Report of the Department of Labour for the fiscal period ending March 31, 1987 is incorrect.

During the period covered in this report there were 18 occupational related fatalities reported to the Occupational Health and Safety Division.

This increase in the number of fatalities from the previous report reflects the change in the Occupational Health and Safety Division's jurisdiction following proclamation of the new Occupational Health and Safety Act.

To the Honourable Brian Young
Minister of Labour

Sir:

I have the honour to submit herewith the report for the Department of Labour for the fiscal year ending March 31, 1987.

Respectfully submitted,

H.R. Macdonald
Deputy Minister

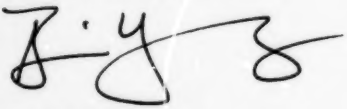
To His Honour

The Honourable Alan R. Abraham, C.D.
Lieutenant-Governor of Nova Scotia

Sir:

I have the honour to submit herewith the annual report of the Department of Labour for the fiscal year ending March 31, 1987.

Respectfully submitted,



Brian Young
Minister of Labour

CONTENTS

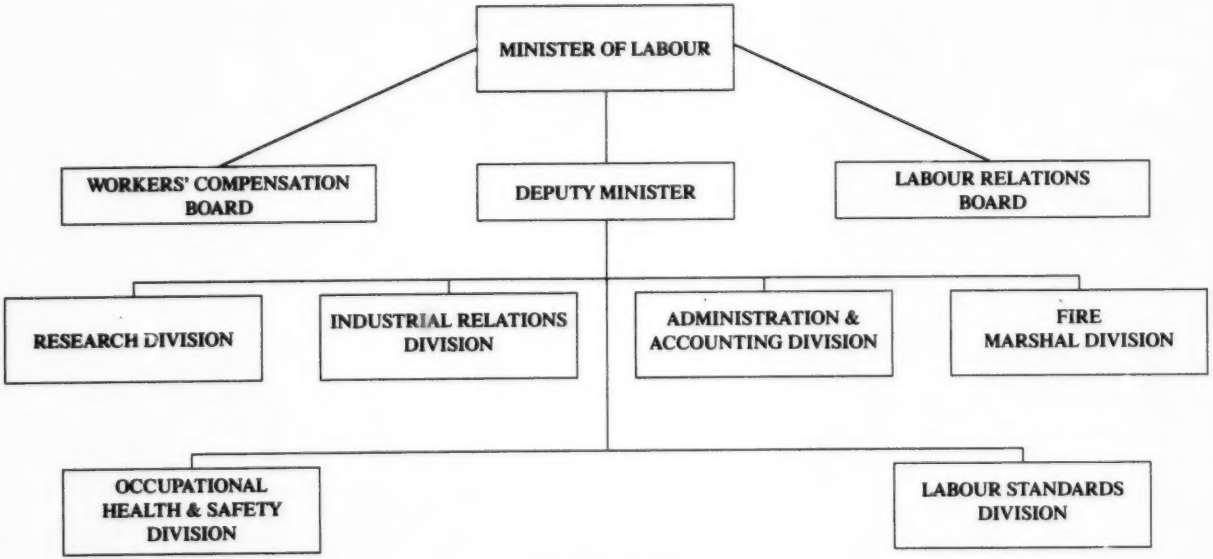
Organization Chart 9
Administrative Personnel 10
Introduction 13
New Legislation 14
Occupational Health and Safety Division 15
- Occupational Safety 15
- Accident Prevention 19
- Mine Safety Inspection and Mine Rescue 21
- Occupational Health 23

Administration and Accounting Division 25
Research Division 26
Industrial Relations Division 28
- Conciliation—Mediation 28

Labour Standards Division 30
Boards and Tribunals 34
- Stationary Engineers Board 34
- Certification of Blasters—Board of Examiners 34
- Labour Relations Board 35
- Construction Industry Panel 35
- Labour Standards Tribunal 36
- Minimum Wage Board 37
- Board of Examiners of Mining Examinations 38

Statistics 39

ORGANIZATION OF THE DEPARTMENT OF LABOUR



*TOTAL PERSONNEL EXCLUDING PART-TIME BOARDS AND COMMISSIONS— 128

ADMINISTRATIVE PERSONNEL

Office of the Minister and Deputy Minister

Minister ..... Hon. Brian Young
Deputy Minister ..... H.R. Macdonald
Assistant to the Deputy Minister ..... P.F. Langlois

Administration and Accounting Division

Director of Office Services ..... P.G. Horne

Industrial Relations Division

Director of Conciliation Services ..... W. McCallum

Research Division

Director ..... Jean Dobson

Occupational Health and Safety Division

Executive Director ..... Jack Noonan
Director, Occupational Safety Section ..... D.D. Todd
Director, Occupational Health Section ..... T. Mejzner
Director, Mine Safety Inspection and
Mine Rescue Section (Acting) ..... C. MacDonald
Director, Accident Prevention Section ..... Jack Herbin

Labour Standards Division

Director ..... A.R. Mitchell

Office of the Fire Marshal

Fire Marshal (Acting) ..... P.F. Langlois

Stationary Engineers Board

Chairman	C.W. Purcell
Inspector-Examiner	K.W. Daniels
Members	R.I. McNabb
	A.B. Hill
	F.J. MacDonald
	W.C. Harris

Labour Relations Board

Chairman	Judge R.J. McCleave
Vice-Chairman	P.E. Darby
Chief Executive Officer	K.H. Horne
Members	D.G. Burchell
	A.R. Harrington
	L.F. McKay
	M. McIntyre
Alternate Members	P. O'Brien
	P. Landry
	J.G. Boudreau
	F.J. Creaser
	J.G. MacDonald
	E.M. MacNeil
	M. MacDonald

Construction Industry Panel—Labour Relations Board

Chairman	Judge R.J. McCleave
Vice-Chairman	P.E. Darby
Chief Executive Officer	K.H. Horne
Members	F.J. Creaser
	E.M. MacNeil
Alternate Members	J.G. MacDonald
	D. MacDonald, Jr.
	A. Rafuse
	D.G. Burchell
	A.R. Harrington
	L.F. McKay
	C. "Mark" Cleary

Labour Standards Tribunal

Chairman ..... Stephen Mont
Executive Officer ..... G. Ross
Members ..... M.H. Martell
Ann Hebb
Alternate Member ..... Cheryl Taylor

Minimum Wage Board

Chairman ..... John McIntyre
Members ..... F. Belshaw
D. Cook
G. Davis
A. Meisner
B. Ross

Certification of Blasters—
Board of Examiners

Chairman ..... Dave Todd
Members ..... Walter G. Bisson
Edward W. Carlson

INTRODUCTION

The Nova Scotia Department of Labour marked 55 years of service to labour, management, and the general public on March 31, 1987.

The Act that established a department of the government of Nova Scotia called the Department of Labour, to be presided over by the Minister of Labour, was passed March 31, 1932. The annual report for the first year's operation of the Department included reports of the Minimum Wage Board, Employment Services Office, and the Supervisor of Unemployment Relief. Of those three, only the Minimum Wage Board remains today.

The Department was assigned additional responsibilities of manpower training in 1981 with the proclamation of An Act to Provide for a Department of Labour and Manpower. The new legislation also changed the Department's name to the Department of Labour and Manpower.

In November 1985 the Manpower Section was transferred from the Department of Labour and Manpower and combined with the Vocational and Technical Training portion of the Department of Education to form the new Department of Human Resources, Development and Training. On June 25, 1986 the department was renamed the Department of Vocational and Technical Training. That department's activities are to be contained in its own annual report.

On January 1, 1986, the Department of Labour and Manpower assumed responsibility for occupational health and safety matters when the new Occupational Health and Safety Act was proclaimed.

On June 25, 1986 the department's name was changed from the Department of Labour and Manpower to the Department of Labour.

The Department of Labour is also responsible for industrial relations, labour standards, fire prevention and protection, and research. Fire prevention and protection are covered in the Annual Report of the Fire Marshal.

NEW LEGISLATION

The Trade Union Act was amended to provide for the appointment of a Construction Industry Conciliation Board to resolve situations where collective agreements have not yet been reached. When it is appointed the Construction Industry Conciliation Board is empowered to impose a binding settlement of all outstanding issues that have not been settled by the parties involved.

The amendment also requires that before a strike can take place, a vote must be taken by the union members on the last offer made by the employer during conciliation. It also requires that before management can lock out workers, members of the accredited employers' organization must vote on the union's most recent offer during conciliation.

The amendment states that no strike can occur unless three or more unions vote for a strike and maintain a withdrawal of services, and no lockout can occur unless the accredited employers' organization votes to lock out any three or more unions in the appropriate unit.

OCCUPATIONAL HEALTH AND SAFETY DIVISION

The Occupational Health and Safety Division was formed on January 1, 1986, with the proclamation of the Occupational Health and Safety Act.

The new division was given responsibility for administering occupational health and safety legislation that affected workplaces that fall under provincial jurisdiction, in addition to:

- administering regulations pursuant to the Occupational Health and Safety Act,
- initiating and maintaining a comprehensive education program,
- developing new strategies, regulations, guidelines, codes, and hazard alerts to help prevent occupational related injuries and illnesses.

OCCUPATIONAL SAFETY

The function of the Occupational Safety Section is to enforce the Occupational Health and Safety Act and thereby protect the safety and health of workers and the public.

That legislation also pertains to acts and regulations dealing with steam boilers, pressure vessels, refrigeration plants, welding procedures, industrial establishments, elevators and lifts, construction projects, and amusement devices. The section also has the responsibility of administering the Stationary Engineers Act and Regulations which control the certification of all power plants and stationary engineers in Nova Scotia.

The Occupational Safety Division applies regulations and safety codes in order to maintain safe conditions related to equipment and work and installation of certain types of mechanical equipment. The experience gained by application of code rules is periodically assessed to determine the need for improving the rules. A code rule or regulation may be modified; in all such cases a minimum acceptable safety standard must be the basis for any modification.

The Department of Labour contributes to the development of codes and standards principally by way of representation on committees of the Canadian Standards Association.

Inspections on elevating devices and boilers and pressure vessels were carried out on behalf of Labour Canada.

Industrial Safety Regulations

The Industrial Safety Act was repealed when the Occupational Health and Safety Act was proclaimed January 1, 1986. However the Industrial Safety Regulations remain and generally embrace establishments that are engaged in the manufacturing process, or assembly in connection with the manufacturing of goods or products, as well as the forest industry which was included under the regulations in 1981. The regulations pertain to sanitation, personal protective equipment, use of tools, guarding of machinery, ventilation, first aid, electrical hazards, the use and control of explosives and the certification of blasters, and other aspects common to the manufacturing industry.

The Occupational Health and Safety Act requires that, as a general duty, an employer must keep his establishment in such a manner that the safety and health of persons in the establishments are not likely to be endangered. Inspectors appointed under the authority of the Act have the right of entry at reasonable times and, for purposes of conducting an investigation, may administer an oath and summon any person to give evidence.

There were 56 noise, air, and light surveys conducted in co-operation with the Occupational Health Section of the Occupational Health and Safety Division. Directions issued as the consequences of any survey were made known to the affected parties and the necessary corrective action was carried out; and 24 stop work orders were issued and complied with.

Fatal Accidents

1. A self-employed farmer who was working alone was run over by his tractor.

2. A worker died from injuries sustained after his foot was amputated when his pant leg became entangled in a coupling of an eight horsepower motor that he had been working on.

Construction Safety Regulations

The Construction Safety Regulations are designed to protect the safety and health of persons engaged in the construction industry. The regulations require that the constructor, as defined under the Act, assume the overall responsibility for project safety. A sub-contractor has a responsi-

bility for the safety of all persons on the part or parts of a "project" under his or her direct control.

A project under the Construction Safety Regulations is defined as a place where building, construction, improvement, repair, alteration, reconstruction, demolition or excavating of any building structure, road, bridge, pipeline, wharf or marine structure, excavation or tunnel is being carried out. The regulations also pertain to the use and control of explosives, and include the certification of blasters.

An inspector appointed under the authority of the Occupational Health and Safety Act may issue a stop work order setting out that certain directions must be carried out within a specified time. A stop work order may be issued for an entire project or any part of a project. Inspectors also have the right of entry and, for purposes of an investigation, may administer an oath or summon any person to give evidence.

Five companies were found to be in violation of the Construction Safety Act and were fined in amounts varying from $500.00 to $1,500.00.

A total of 29 stop work orders were issued. In the majority of cases, unsafe conditions were attended to before the effective time and date of the stop work order.

Steam Boiler and Pressure Vessel Act

The Steam Boiler and Pressure Vessel Act applies to steam boilers operating at a pressure in excess of 15 pounds per square inch, and to pressure vessels having an external pressure in excess of 15 pounds per square inch and having an inside diameter of more than six inches. The Act also applies to refrigerator plants having a capacity in excess of three tons in 24 hours. Boilers, pressure vessels and refrigeration plants are initially inspected after installation and subsequently inspected on a regular basis in order to check on conditions that bear upon the life and safe operation of the equipment.

Equipment subject to the Steam Boiler and Pressure Vessel Act is substantially constructed in accordance with the *Canadian Standards Association Code for the Construction and Inspection of Boilers and Pressure Vessels*. The inspection of equipment manufactured in Nova Scotia is carried out by a provincial inspector; equipment manufactured outside Nova Scotia and for use in the province is subject to inspection

by a recognized authority in the United States and Canada and is acceptable under the Act upon the basis of a receipt of an affidavit from the manufacturer.

Welders engaged in boiler and pressure vessel construction or repair are tested under *Section XI* of the *American Society of Mechanical Engineers' Code* for welding qualifications. A total of 1,174 welders were tested during the fiscal year.

Elevators and Lifts Act

The Elevators and Lifts Act applies to the installation of elevating devices for the physically disabled, passenger and freight elevators, escalators, dumbwaiters, manlifts and incline lifts such as ski-lifts and T-Bars. The Act also applies to major and minor alterations to elevating equipment. The owners of elevators and lifts are required to have their equipment inspected at least once annually.

The latest edition of the *Canadian Standards Association Safety Code for Elevators, Dumbwaiters, and Escalators* is the standard that is followed by the inspectors in carrying out their duties under the Act and Regulations.

The Elevators and Lifts Act requires that no person shall commence a new installation or a major alteration of an elevator, dumbwaiter escalator, manlift or incline lift until the drawings and specifications have been approved by the Chief Inspector.

No owner of an elevator, dumbwaiter, escalator, manlift or incline lift shall operate it or cause or permit it to be operated unless it is licensed under the Act.

Amusement Devices Safety Act

The Amusement Devices Safety Act provides for the inspection and licensing of amusement devices and temporary structures at carnivals, fairs and amusement parks.

The legislation ensures that the equipment is designed assembled, dismantled and operated in a manner which will guard against injuries to the general public.

In order to be operated, amusement equipment must be licensed.

Licenses will be granted when a Certificate of Inspection has been issued and proof of financial responsibility has been provided to the Amusement Regulation Division, Department of Consumer Affairs. Financial responsibility means that insurance provisions have been made for persons injured or killed while in or about the equipment.

ACCIDENT PREVENTION

The Accident Prevention Section is responsible for all departmental aspects of training Nova Scotia employers and workers who fall under the Occupational Health and Safety Act in occupational health and safety matters.

During the period of this report the section continued its priorities of making those covered under the Act aware of their responsibilities, rights and duties of the Occupational Health and Safety Officers, and zeroing in on approximately 2,600 establiishments with 20 or more workers to check whether they have health and safety committees and offer assistance in training the committees.

The section staff consists of a director, secretary, six accident prevention officers who are assigned specific territories, and a co-ordinator of student safety awareness.

During the period in this report the accident prevention section made 2,850 contacts with employers and employees.

The following courses were conducted:

1. Accident Investigation, 19 courses were conducted with a total of 208 participants.

2. Health and Safety Committee, 75 courses, 686 participants.

3. Entry Into Confined spaces, seven courses, 94 participants.

Preparations began for the provincial responsibilities which will be involved in implementing the Workplace Hazardous Materials Information System (WHMIS). Federal and Provincial aspects of the Legislation will place an extra burden on costs for developing information and train the trainer sessions which will be available to the majority of industry institutions in the province when the Legislation is in place.

In addition, the section was involved in a number of other activities:

1. Numerous in-plant sessions were held varying from 30 minutes to full-day programs, based on requested assistance. The subject matter included: personal protective equipment, lighting, supervisory/worker responsibility, hearing conservation, and respiratory equipment.

2. Co-ordinator of Student Safety Awareness Programming made 186 contacts with institutes of technology, adult vocational schools, vocational schools and other schools in the academic system.

   The Co-ordinator was involved in consultative work, information meetings, seminars, courses and presentations which involved more than 2,000 people.

   The Co-ordinator was also involved in teaching an Accident Prevention Course for 3rd year teachers at the Nova Scotia Teachers College as part of the Summer School Program.

   The Accident Prevention Section of the course involves 15 to 18 hours of teaching and evaluation of the teachers.

   The Co-ordinator was also involved in the review of the School Awareness Program and chairs a special committee which is involved on a continuous basis. This review encompasses policy, procedures, guidelines and the design of an educational program for teachers dealing with the Fundamentals of Accident Prevention and its application to the shop or laboratory.

   The Co-ordinator also completed comprehensive Health and Safety Audits of the 19 vocational and technical training facilities which are directed to the applicable institution for action and necessary follow-up by the co-ordinator.

3. A self imposed health and safety program of checklists for farmers was designed in co-operation with the Nova Scotia Federation of Agriculture and the Extension Services, Nova Scotia Department of Agriculture. This document has gone to press and will be available for the farming community, which is estimated at between 4,500 and 5,000 farms. A comprehensive plan of community programming for farmers will be structured on the content of the manual of checklists and will take approximately two years to complete.

4. A video production titled, "A Little R&R" was produced in co-operation with the Media Services, Nova Scotia Department of Education.

   This production is 15 minutes long and deals with the new Occupational Health & Safety Act, breaking the subject matter into rights and responsibilities, the right to know, refuse and participate in safety and health matters and the duties of the occupational health and safety officers.

   Five pamphlets were also produced on the new Occupational Health and Safety Act dealing with the same subject matter as outlined.

5. The film library continues to be upgraded on a yearly basis and includes approximately 200 - 16 mm films.

   The section has commenced structuring a VHS Video Tape Library which will expand on a yearly basis, based on demand and the availability of tapes.

6. The interest continues to increase in the section's Correspondence Course, "Management Guide to Loss Control". Two hundred and ninety four participants have competed this course to date. This course deals with modern day philosophy in dealing with health and safety problems utilizing the participative format, i.e., management and labour, and accepted management principles to control losses, whether they be man, machine or material losses.

7. The section also participated in programs with the University College of Cape Breton, the Technical University of Nova Scotia, associations and unions during the year.

MINE SAFETY INSPECTION AND MINE RESCUE

The Mine Safety Inspection and Mine Rescue Section is responsible for the health and safety of employees in the mineral industry. Routine mine inspections are conducted under the authority of the Occupational Health and Safety Act, the Coal Mines Regulation Act, and the Metalliferous Mines and Quarries Regulations Act in all mines and quarries within the province except those mines operated by the Cape Breton Development Corporation (CBDC) where only mine rescue has been inspected by the Department.

Mine Safety Inspection

Mine Safety Inspection has a staff of eight working from regional offices in Stellarton, Glace Bay, and Springhill.

Mine Rescue

The Mine Rescue program is designed to promote the application of sound mine rescue principles:

- to protect those actively engaged in the work of recovery in time of emergency,
- to rescue people that may be trapped, and
- to rehabilitate the mine facilities.

The department has a fully equipped mine rescue station in Stellarton.

Monthly training sessions are conducted at all underground mines in the province except for Cape Breton Development Corporation (CBDC) mines where only monthly inspections have been made.

The mine rescue instructor conducts classes in mine rescue procedures at the College of Cape Breton and at the Technical University of Nova Scotia to supplement the students' training.

At the end of the year there were 150 active certified mine rescue persons.

Mine Rescue Competition

The annual Provincial Mine Rescue Competition was held under a new format at the Miners Forum, Glace Bay, on June 20 and 21, 1986. The new task-oriented competition followed the format set for the national competition. Seven teams competed in six different tasks (written, bench, first aid, firefighting, smoke room, and obstacle tasks). Each task put the teams through conditions that were as close to a real life emergency situation as possible.

Trophies were given for each task, and the overall trophy was won by a team from Phalen, Cape Breton Development Corporation.

OCCUPATIONAL HEALTH SECTION

Throughout the year the section continued to emphasize awareness of potential and actual hazards in the work environment, placing special stress on control and prevention. To achieve this, members of the section participated in educational training programs across the province and also provided consultation services in occupational health to industry, labour, other government departments and private individuals (public).

Increasing awareness of occupational health considerations has resulted in an increase in numbers of requests for on-site investigations and requests for information. Current projections indicate the need for this type of service is expanding. Between April 1, 1986 and March 31, 1987 the section staff conducted 266 investigations and received 615 telephone inquiries.

During the period of this report the staffing of the Occupational Health Section consisted of: a director, secretary, occupational health nursing consultant, and three hygienists.

Industrial Hygiene

A large proportion of the activities consisted of monitoring of conditions and requests for evaluation of specific health hazards associated with exposures to chemicals and to physical agents in the work environment.

Surveys of users of isocyanates have also been started to ensure companies compy with guidelines for establishing operating procedures for use of isocyanate containing materials. The surveys will be continued until all establishments using isocyanates have been inspected.

During the year three provisional codes of practice for carrying out different types of work with asbestos have been prepared. More detailed codes will be produced in 1988.

Occupational Health Nurse Consultant

The consultant has been active in promoting the development of new or improved occupational health services within industry through direct contact with industry employed occupational health nurses, safety personnel and physicians.

The consultant has also promoted control and prevention of actual

and potential health hazards at work through lectures to and talks with occupational health nurses and other interested groups. Her work has helped to publicize the role of the Occupational Health Section and has resulted in a number of requests from management and unions for evaluations of working conditions.

ADMINISTRATION AND ACCOUNTING DIVISION

The Administration and Accounting Division is the internal administration arm of the Department. Essentially, it is responsible for the preparation and control of budgets and appropriations, and the efficient and economical utilization of staff, space, and equipment in consultation with directors of the various divisions. The director recommends promotions, compensation, disciplinary action and terminations to the Deputy Minister after conferring with the directors concerned. The division co-ordinates the various administrative functions of the Department and acts as liaison with other departments of government, the Civil Service Commission, and the Auditor General.

RESEARCH DIVISION

The Research Division is responsible for developing labour information, specialized studies and forecasts to be used in the formation of legislation, programs, and administrative policies. Research is carried on both independently and in co-operation with the appropriate federal agencies.

During the period under review, work was carried out in the areas of industrial relations and conditions of work as related to the mandate of the Department.

The results of this research were placed at the disposal of the Department, as well as labour, management, the legal community, other government agencies and the general public.

Library

The Department of Labour library was established in 1970 to support the interests and activities of the department. As of March 31, 1987 the library collection consists of approximately 2,500 titles (books and government documents) and approximately 375 periodical titles. Material in the library covers such areas as labour laws, and legislation, labour research, economics, arbitration, collective bargaining, working conditions, labour relations, occupational safety and related information. The library provides services and information to department staff, other government departments and the general public. Acquisitions from April 1, 1986 to March 31, 1987:

Books and government documents	— 510
Serial publications	— 24

It is noted that the library turned over to the new Department of Vocational and Technical Training that part of the library collection which was pertinent to the former manpower responsibilities of the department.

Industrial Relations

All collective agreements on file with the department are studied and analysis of major provisions coded and placed on computer. This provides an immediate source of reference on all agreements.

During the fiscal year Labour Organizations in Nova Scotia, 1986, was published to supply labour management and the general public with

an annually updated directory of labour unions, and the names and addresses of the principal officials. Incorporated in the publication is information on union memberships by area, industry and congress affiliation.

Information on collective bargaining settlements was maintained. As well information which profiled workstoppages, collective agreement expirations and negotiations in progress.

The 1986 Compendium of Grievance Arbitration Decisions was prepared. It lists decisions which have been filed under grievance arbitration legislation provided for under the Nova Scotia Trade Union Act. The Compendium outlines the issues involved in a particular arbitration, and summarizes the grievance being brought to arbitration and the arbitrators' award. Issues are indexed utilizing the Brown and Beatty standard.

INDUSTRIAL RELATIONS DIVISION

The Trade Union Act establishes the right of employees to organize and sets out the procedure for orderly collective bargaining. In an endeavour to encourage and promote harmonious labour-management relations, the Industrial Relations Division was set up to provide impartial conciliation and mediation services to labour and management.

The Industrial Relations Division is charged with the administration of the Trade Union Act. Under the Act, the duties and functions of the Division are many and varied.

Conciliation/Mediation

This includes the appointment of Conciliation/Mediation Officers in labour-management disputes and the processing of Conciliation Board appointments and Industrial Inquiry Commissions regarding negotiations for a renewal or revision of the agreement or the conclusion of a new collective agreement.

Conciliation

A total of 181 cases were dealt with at the Conciliation Officer level; 37 of which were in process April 1, 1986 and 144 were new cases. Of the total, 119 cases were settled at the Officer level; three cases lapsed at the Officer level; four cases were withdrawn; one case referred to Mediation and one case where certification was revoked leaving 53 cases pending March 31, 1987.

Conciliation Board Level

There was one case pending from the previous year which was settled at the Conciliation Board level. No new Boards were constituted during the 1986/87 fiscal period.

Industrial Inquiry Commission Level

There were no cases pending at this level from the 1985/86 fiscal year. No new Commissions were constituted during the 1986/87 fiscal period.

Mediation

There was one case referred to the Mediation Officer level and was settled during the 1986/87 fiscal period.

Labour Relations Board

The Labour Relations Board and its Construction Industry Panel carry out the functions related to the certification of trade unions, revocation or amendment of certification and complaints related to jurisdictional disputes. The Board has numerous other functions including the investigation of alleged unfair labour practices and refusals to bargain.

The annual report of the Labour Relations Board is on page 35.

LABOUR STANDARDS DIVISION

The function of the Labour Standards Division is to deal with inquiries and complaints from the public about whether a specific employment-related problem is affected by the Labour Standards Code of this province. Investigations of specific employment situations are carried out and, if the Labour Standards Code is not being adhered to, the staff of the division takes action to ensure compliance with the Code. The Labour Standards Division also fulfills an advisory role to the public on how the Labour Standards Code should be applied to certain situations.

The Labour Standards Code contains provisions for the setting of minimum wages in all industries; the setting of industrial standards rates for the trades in the construction industry; it prohibits the employment of persons under 14 years of age, unless certain conditions are met, and person under 16 years of age in certain industries. It requires employers to pay the same wage to female workers performing work that is substantially the same as that performed by male workers in the same establishment; and requires that female employees who qualify be granted maternity leave. It requires employers to maintain certain information in their payroll records; it imposes the requirement that all employees receive vacation pay; it protects an employee's right to receive wages earned; it requires employers and employees to give notice of termination of employment; and it requires that employees who qualify receive pay for certain designated holidays throughout the year.

Any decisions rendered by the Labour Standards Division may be appealed to the Labour Standards Tribunal of Nova Scotia, which is established under the provisions of the Labour Standards Code and empowered to make decisions concerning the application of the Code.

Labour Standards staff may, in the course of their duties, carry out routine inspections of an employer's payroll records as well as conduct investigations arising from specific complaints.

During the period of April 1, 1986 to March 31, 1987, routine inspections under the Labour Standards legislation were made throughout the province on 30 establishments, employing 521 employees. As a result, 12 firms were found to be in violation, involving 159 employees.

During the same period, 1,247 firms were contacted on complaints and 724 firms were found to be in violation.

Complaints were filed by 2,057 persons and violations were found affecting 2,093 persons. A total of $393,045.69 was collected by the Labour Standards Division on behalf of these persons in situations where violations of the Code were found. These violations of the Code and broken down as follows:

Industrial Standards

Six trades in the construction industry in the City of Sydney, and seven in the Cities of Halifax and Dartmouth, come under the provisions of the Industrial Standards Section of the Labour Standards Code.

Trade rates which have been in force in Metropolitan Halifax-Dartmouth and Metropolitan Sydney for more than 10 years have not been renewed by construction industry employer and employee representatives. Therefore these rates are not indicative of current industrial rates in the construction industry in either of these centers.

Further information can be obtained from the Labour Standards Division.

During the fiscal period no violation was found involving this section of the Labour Standards Code.

Hours of Labour

No violation involving this section of the Labour Standards Code was found.

Employment of Children

No violation involving this section of the Labour Standards Code was found.

Equal Pay

One firm was found to be in violation of this section of the Labour Standards Code, involving 14 employees. As a result of the investigation, 14 employees received a total of $55,566.00.

Maternity Leave

No violation involving this section of the Labour Standards Code was found.

Records

Two firms involving two persons were found to be in violation of this Section of the Labour Standards Code. Management was instructed to keep proper records and agreed to comply.

Vacation Pay

Because the owners cannot be located, 951 Vacation Stamp Books, one envelope containing vacation stamps, and 126 cheques were held. The book contains stamps to the value of $7,211.98, the envelope contains stamps to the value of $1.23, and the cheques total in value of $922.49.

There were 555 firms found to be in violation of this Section of the Labour Standards Code. As a result of the investigations, 860 persons received $123,917.68 as vacation pay. There was no settlement reached involving 190 persons employed with 38 firms.

Minimum Wage

Thirty-three firms were found to be in violation of this Section of the Labour Standards Code. As a result of the investigations, 40 persons were paid $3,329.84 as wages by their employers or former employers.

Protection of Pay

There were 381 firms found to be in violation of this Section of the Code. As a result of the investigations, 571 persons received $156,489.98 as wages. There was no settlement reached on violations involving 146 persons employed with 35 firms.

Termination of Employment

It was found that 137 firms were in violation of this Section of the Labour Standards Code. As a result of the investigations, 146 persons were paid $45,030.17 as wages in lieu of notice by their former employers. There was no settlement reached on violations involving two persons employed with one firm.

Holidays with Pay

Forty-one firms were found to be in violation of this Section of the Code, which resulted in $8,712.02 as holiday pay being paid to 116 persons by their employers. There was no settlement reached on one violation involving one employee.

Occupational Health and Safety

Under the Regulations pursuant to the Occupational Health and Safety Act individuals who have exercised their right to refuse work they believe to be unsafe or those who feel they have been discriminated against for reasons prohibited by the Occupational Health and Safety Act, may proceed, through the Labour Standards Division when they are not subject to a collective agreement. During the period reported the Labour Standards Division received two complaints from workers who had exercised their right to refuse and who felt they were being discriminated against. One of the complaints was dropped by the employee and the second was settled mutually by the employee and employer.

BOARDS AND TRIBUNALS

STATIONARY ENGINEERS BOARD

A part-time Board of Examiners reviews and assesses all applications and examinations of persons seeking certification under the provisions of the Stationary Engineers Act. The Stationary Engineers Board consists of a chairman and four other members. The day-to-day operations related to the administration of the Act are carried out by a full-time staff.

A total of 729 applicants were examined within the province. There are 259 plants presently registered.

BOARD OF EXAMINERS FOR THE CERTIFICATION OF BLASTERS

The part-time Board determines the subject matter in which applicants for Blasters' Certifications of Qualifications shall be examined and provides for those examinations to ensure the safety of workers and the public at or near a site where explosives are to be used.

Blasters Registered during 1986–87

First class	—
Second class	3
Third class	—
Fourth class	43
TOTAL	46

Blasters Registered in Nova Scotia

First class	99
Second class	83
Third class	167
Fourth class	235
TOTAL	584

LABOUR RELATIONS BOARD

During the fiscal year April 1, 1986–March 31, 1987, the Labour Relations Board issued a total of 21 certification orders and dismissed 24 applications. Thirteen applications for amendment were granted while an additional four were dismissed and four withdrawn. Three Board orders were revoked.

Twenty complaints of unfair labour practice were submitted to the Board, of which 12 were withdrawn and seven were dismissed. A violation was found in one case.

The Board received seven complaints of failure to negotiate. Six cases were withdrawn, none were dismissed and violations were found in the one remaining. The Board received two complaints re Collective Bargaining, one case was withdrawn and one violation was found.

Under Section 29 of the Trade Union Act, the Board dismissed three applications for Successor Rights. Under Section 30 of the Act two applications for Successor Rights were granted.

Construction Industry Panel of the Labour Relations Board

Between April 1, 1986 and March 31, 1987, the Construction Industry Panel of the Labour Relations Board (Nova Scotia) granted 77 applications for certification. Two other cases were dismissed and one was withdrawn.

Five complaints of unfair labour practice were filed with the Panel. A violation was found in one case and four were withdrawn. Two complaints alleging jurisdiction disputes were filed with the Panel resulting in an interim order being issued in each case. One application for reconsideration was filed which was dismissed.

Under Section 29 of the Trade Union Act, 10 applications were filed: The Panel granted four and three were dismissed. Two complaints alleging jurisdictional disputes were filed with the Panel resulting in an interim order being issued in both cases.

Eight certification orders were appealed to the Panel pursuant to Section 93 of the Act. As a result the Panel confirmed four and revoked two while the other two were withdrawn.

LABOUR STANDARDS TRIBUNAL

The Labour Standards Tribunal is a part-time body which hears complaints of failure to comply with the Labour Standards Code.

Pursuant to the Code, complaints are either referred to the Tribunal by the Director of Labour Standards, which are disputed by the employer and a hearing before the Tribunal is requested, or are appealed by the complainant after the Director has found no violation of the Code. If the Tribunal upon hearing a complaint, finds wages due and owing, it will issue an order to pay against the employer. The Tribunal is deemed to hold a mortgage on the assets of the employer for the amount set out in the order which takes priority over all other liens for wages due to workmen. The Tribunal's mortgage may be enforced by foreclosure proceedings.

A breakdown of the Sections of the Code violated is shown below. A complaint may involve a violation of more than one Section of the Code.

Violation of:	Total Complaints	Ordered To Pay	Dismissed	Settled	Withdrawn	No Hearing
Minimum Wage	1	1	—	—	—	—
Protection of Pay	18	8	4	2	3	1
Vacation Pay	30	13	8	3	4	2
Termination of Employment	19	8	8	1	1	1
Maternity Leave	1	—	1	—	—	—
	69	30	21	6	8	4

Between the period of April 1, 1986, and March 31, 1987, the Tribunal issued orders to pay amounting to $24,445.39 which represented monies owed to 39 employees. During the same period a total of $10,334.62 was collected in settlement of the above orders affecting 17 employees. Monies were also collected amounting to $4,118.82 during the period, representing payment of Tribunal Orders which were issued in previous fiscal years.

MINIMUM WAGE BOARD

The Nova Scotia Minimum Wage Board under Chairman John MacIntyre, met on several occasions during the year and heard submissions from individuals and organizations on matters within its jurisdiction. The following orders were in effect at the end of the period under review:

Minimum Wage Orders

These rates are for 48 working hours per week. Provisions are set out in the order for overtime, for workers on piece work and for deductions for board and lodging. All time during which an employee is required to wait for work on the employer's premises shall be counted as working time.

Minimum Wage Rates for Experienced Adult Workers

General Order, Beauty Parlour Order, Road Building and Heavy Construction Order, Logging and Forestry Order*:

Rate per Hour	Effective
$4.00	January 1, 1985

* Logging and Forestry Order: As of Jaunary 1, 1985, persons with no fixed work week — $775.00 per month.

Minimum Wage Rate for Workers under 18 years

General Order:

Rate per Hour	Effective
$3.55	January 1, 1985

Minimum Wage Rates for Inexperienced Workers

General Order:

Rate per Hour	Effective
$3.55	January 1, 1985

Beauty Parlour Order:

Rates per Hour		Effective
$2.85	1st three months	January 1, 1985
$3.20	2nd three months	January 1, 1985
$3.55	3rd three months	January 1, 1985

BOARD OF EXAMINERS OF MINING EXAMINATIONS

The Coal Mines Regulation Act requires that any position in underground coal mines be filled by an individual who has an appropriate "Certificate of Competency" issued under the Act. A Board of Examiners, appointed under the Act, is responsible for issuing the certificates.

The Board consists of five members:

J. Reid, P.Eng., Sydney (Chairman)
A. MacKenzie, P.Eng., Glace Bay
H. Slaunwhite, P.Eng., Sydney
K. MacLeod, P.Eng., Sydney
W. Fell, P.Eng., Halifax

The Secretary to the Board is P. Phelan, P.Eng., Halifax.

Responsibility for the Board of Examiners was transferred to the Department of Labour on January 1, 1986.

Certificates of Competency

Training in and examinations for seven categories were held at University College of Cape Breton. The categories are Mine Supervisor, Mine Examiner, First and Second Class Mine Electrician, First and Second Class Mine Mechanic, and Hoist Operator. Examinations were also held for the certificate of competency as Mine Manager and Underground Mine Manager. The Cape Breton Development Corporation also conducted training at its facilities under programs approved by the Board of Examiners.

Each year the Mining Sociey of Nova Scotia awards a prize to the person who achieves the highest grade in examinations for Mine Manager, Underground Mine Manager and Mine Supervisor. In 1985 awards were made in three categories:

Manager — Cyril Joseph LeBlanc
Underground Manager — Harold William Brown
Mine Supervisor — John Leonard Cholock

Examination Results for Certification Under the Coal Mines Regulation Act, are listed on pages 43 and 44.

STATISTICS

Occupational Health and Safety Division

Inspections—Industrial Safety Regulations
Directions Issued—Industrial Safety Regulations
Inspections—Construction Safety Regulations
Directions Issued—Construction Safety Regulations
Inspections—Steam Boiler and Pressure Vessel Act
Related Services—Steam Boiler and Pressure Vessel Act
Inspections—Elevators and Lifts Act
Inspections—Amusement Devices Safety Act
Certificates Issued—Stationary Engineers Act
Inspections Statistics—Mine Safety Inspection
Certificates Issued—Coal Mines Regulations Act

Industrial Relations Division

Summary of Activities—Conciliation Officer Level, Conciliation Boards, Industrial Inquiry Commissions, Mediation Cases
Summary of Activities—Labour Relations Board and Construction Industry Panel
Legal and Unofficial Work Stoppages in Nova Scotia, April 1, 1986, to March 31, 1987

Inspections—Industrial Safety Regulations
Year Ending March 31, 1987

General Inspections	728
Re-Inspections	90
Field Interviews	275
Accidents Reviewed with Employer	109
Total Inspections	1,202
Stop Work Orders	24

Directions Issued Under the Industrial Safety Regulations
Year Ending March 31, 1987

Sanitation	24
Ventilation	16
Lighting	4
Machine Guarding	94
Personal Protective Equipment	246
First Aid Facilities	39
Housekeeping	63
Fire Protection	53
Electrical	54
Miscellaneous	43
Total	636

Inspection—Construction Safety Regulations
Year Ending March 31, 1987

General Contractor	1,861
Sub-Contractor	162
Accidents Investigated	50
Total Inspections	2,073
Stop Work Orders	29
Prosecutions	5

Directions Issued—Construction Safety Regulations
Year Ending March 31, 1987

Access to Work Place	83
Bins and Hoppers	0
Bracing and Supports	0
Compressed Air	0
Construction Equipment	0
Demolition	0
Electrical Supply	98
Excavations	101
Explosive Tools	17
Explosives	23
Fencing and Barricades	26
Fire Protection	7
First Aid	48
Flooring	3
Formwork	0
Guarding Machinery	3
Guardrails and Openings	183
Handtools	0
Handling Materials	19
Hoists—Workmen	5
Hoists—Material	8
Housekeeping	184
Ladders	110
Personal Protection	247
Pile-Driving	6
Platforms, Runways and Ramps	14
Portable Power Tools	5
Power Driven Cranes Shovels	3
Repairs to Machinery	8
Sanitation	12
Scaffolds	300
Stairs	20
Tank and Vessels	0
Temporary Heat	0
Ventilation of Excavations	0
Welding and Burning	8
Wharves and Docks	3
Woodworking	3
Working Over Water	4
Total	1,551

Inspections—Amusement Devices Safety Regulations
Year Ending March 31, 1987

Initial Inspections	80
Re-Inspection	380
Surveys of Equipment	0
Total Inspections	460

Certificates Issued Under the Stationary Engineers Act
Year Ending March 31, 1987

Stationary Engineer—First Class (S)	15
Stationary Engineer—Second Class (S)	22
Stationary Engineer—Third Class (S)	60
Stationary Engineer—Fourth Class (S)	91
Stationary Engineer—First Class	1
Stationary Engineer—Second Class	2
Stationary Engineer—Third Class	5
Stationary Engineer—Fourth Class	91
Stationary Engineer—Refrigeration Plant—First Class	15
Stationary Engineer—Refrigeration Plant—Second Class	147
Stationary Engineer—Compressor Plant—First Class	4
Stationary Engineer—Compressor Plant—Second Class	7
Stationary Engineer—Hoisting Plant	26
Stationary Engineer—Surcharged	5
Total	491

*Note (S) denotes Standardized Examination.

Inspections—Steam Boiler and Pressure Vessel Act
Year Ending March 31, 1987

General Inspections	411
External Inspections	1,062
Inspections of New Installations	90
Shop Inspections of Constructions	71
Plant Inspections	154
Piping	102
Hydrostatic Tests	189
Refrigeration Plants	10
Safety Valves Tested	207

Removed From Service—Boilers	0
Removed From Service—Pressure Vessels	1
Accident Investigations	0
Total Inspections	2,297

Related Services—Steam Boiler and Pressure Vessel Act
Year Ending March 31, 1987

X-Rays Examined	7,707
Survey and Registration of Drawings	351
Reports Processed from Insurance Companies	1,844
Welding Tests	1,174

Inspections—Elevators and Lifts Act
Year Ending March 31, 1987

Annual Inspections—Department	1,451
Inspections—New Installations	61
Inspections—Major Installations	8
Equipment Removed from Service	6

Mine Safety Inspection Statistics

Total Inspections	414
Total number of infractions (Occupational Health and Safety Act, Coal Mines Regulation Act, Metalliferous Mines and Quarries Act)	310
Mine rescue station inspections	30
Mine rescue classes conducted	13
Reportable accidents	95
First aid classes	15

Examination Results for Certification Under the Coal Mines Regulation Act

Category	Number of Candidates	Passed	Failed
Manager	4	4	0
Underground Manager	7	6	1
Supervisor	26	25	1
Mine Examiner	15	13	2
Hoist Operator	0	0	0
Mine Electrician, First Class	0	0	0
Mine Electrician, Second Class	8	8	0
Mine Mechanic, First Class	0	0	0
Mine Mechanic, Second Class	28	28	0
Console Operator	10	9	1
TOTAL	98	93	5

Summary of Other Certificates Issued by the Board of Examiners

First Class Miner	94
Mine Rescue	14
First Aid	185

INDUSTRIAL RELATIONS
SUMMARY OF ACTIVITIES

Conciliation Officer Level	1986/87	1985/86
In Process April 1, 1986	37	63
New During Period	144	138
TOTAL	181	201
Settled at Officer Level	119	153
Referred to Conciliation Board	0	2
Referred to Mediation	1	0
Referred to Arbitration—Teachers Collective Bargaining Act	0	1
Referred to Voluntary Arbitration	0	1
Referred to Quebec Department of Labour	0	1
Referred to Labour Canada	0	1
Conciliation Lapsed	3	2
Conciliation Withdrawn	4	1
Certification Revoked	1	0
In Process March 31, 1987	53	37
TOTAL NUMBER OF CASES AT OFFICER LEVEL	181	201

Conciliation Boards		
In Process April 1, 1986	1	0
New During Period	0	2
TOTAL	1	2
Settled at Board Level	1	2
In Process March 31, 1987	0	0
TOTAL NUMBER OF CASES AT BOARD LEVEL	1	2

Industrial Inquiry Commission Level		
In Process April 1, 1986	0	0
In Process March 31, 1987	0	0
TOTAL NUMBER OF CASES AT COMMISSION LEVEL	0	0

INDUSTRIAL RELATIONS
SUMMARY OF ACTIVITIES
(Continued)

	1986/87	1985/86
Mediation Level		
In Process April 1, 1986	0	0
Settled at Mediation Level	1	0
TOTAL NUMBER OF CASES AT MEDIATION LEVEL	1	0

LABOUR RELATIONS BOARD AND CONSTRUCTION INDUSTRY PANEL/ LABOUR RELATIONS BOARD SUMMARY OF ACTIVITIES

	April 1, 1985 March 31, 1986 BOARD	April 1, 1986 March 31, 1987 BOARD	April 1, 1985 March 31, 1986 PANEL	April 1, 1986 March 31, 1987 PANEL
Application for Certification				
Granted	19	21	25	77
Dismissed	10	24	9	2
Withdrawn	3	7	—	1
Application for Amendment Orders				
Amended	7	13	1	—
Varied	—	—	—	—
Dismissed	—	4	—	—
Withdrawn	1	4	—	—
Confirmed	—	—	—	—
Application for Revocation of Certification				
Revoked	6	3	—	2
Dismissed	—	1	—	—
Withdrawn	1	—	—	—
Complaints of Unfair Labour Practice				
Violation found	2	1	1	1
Dismissed	4	7	—	—
Withdrawn	5	12	1	4
Complaints, Failure to Negotiate, Section 33(a)				
Violation found	—	1	—	—
Dismissed	1	—	—	—
Withdrawn	1	6	—	—

	April 1, 1985 March 31, 1986 BOARD	April 1, 1986 March 31, 1987 BOARD	April 1, 1985 March 31, 1986 PANEL	April 1, 1986 March 31, 1987 PANEL
Complaints re Collective Bargaining, Section 33(b)				
Violation found	—	1	—	—
Dismissed	—	—	—	—
Withdrawn	4	1	—	—
Application for Reconsideration of Board or Panel				
Granted	—	—	—	—
Dismissed	—	—	—	1
Withdrawn	2	1	—	—
Application for Declaration of Successor Rights (Section 29)				
Granted	4	2	—	4
Dismissed	1	3	3	3
Withdrawn	3	3	2	3
Application for Declaration of Successor Rights (Section 30)				
Granted	—	2	—	—
Dismissed	—	1	—	—
Withdrawn	—	—	—	—
Complaints Alleging Illegal Work Stoppage				
Interim Order	2	1	—	1
Dismissed	1	—	—	—
Withdrawn	—	—	—	—
Settled at officer level	1	2	—	3

	April 1, 1985 March 31, 1986 BOARD	April 1, 1986 March 31, 1987 BOARD	April 1, 1985 March 31, 1986 PANEL	April 1, 1986 March 31, 1987 PANEL
Complaints Alleging Jurisdictional Disputes (Section 50)				
Interim Order	—	—	1	2
Dismissed	—	—	1	—
Withdrawn	—	—	—	—
Confirming order	—	—	—	—
Application for Reconsideration of Panel (Section 93)				
Confirmed	—	—	—	4
Revoked	—	—	3	2
Withdrawn	—	—	1	2
CASES LAPSED	6	—	—	—

Legal and Unofficial Work Stoppages in Nova Scotia April 1, 1986–March 31, 1987

Industry	WORK STOPPAGES			PERSONS—DAYS LOST		
	Legal	Unofficial	Total	Legal	Unofficial	Total
Service	4	—	4	10,030	—	10,030
Trans, Comm & Other Utilities	1	—	1	3,128	—	3,128
Trade	—	2	2	—	74	74
Manufacturing	3	2	5	10,738	595	11,333
Construction	—	1	1	—	28	28
Duration						
1 day or less	—	2	2	—	595	595
2 to 6 days	1	3	4	207	102	309
7 days or more	7	—	7	23,689	—	23,689
No. of Workers						
50 or fewer	6	3	9	8,261	102	8,363
51 to 200	2	1	3	15,635	145	15,780
401 or more	—	1	1	—	450	450
Person-Days Lost						
50 or fewer	—	3	3	—	102	102
51 to 200	—	1	1	—	145	145
201 to 500	3	1	4	827	450	1,277
501 or more	5	—	5	23,069	—	23,069